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The Security Council,

Recalling all its relevant resolutions concerning the territories of Eastern Slavonia, Baranja and Western Sirmium of the Republic of Croatia, in particular its resolutions 1023 (1995) of 22 November 1995, 1025 (1995) of 30 November 1995, 1037 (1996) of 15 January 1996, 1043 (1996) of 31 January 1996, 1069 (1996) of 30 July 1996, and 1079 (1996) of 15 November 1996,

Reaffirming once again its commitment to the independence, sovereignty and territorial integrity of the Republic of Croatia, and emphasizing in this regard that the territories of Eastern Slavonia, Baranja and Western Sirmium are integral parts of the Republic of Croatia,

Expressing its appreciation for the substantial achievements of the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium (UNTAES) in facilitating progress towards the peaceful return of the Region to the control of the Republic of Croatia, and expressing further its deep appreciation to the dedicated military and civilian personnel of UNTAES for their outstanding contributions to the mission of UNTAES, and to the Transitional Administrator, Mr. Jacques Paul Klein, for his leadership and dedication,

Recalling the Basic Agreement on the Region of Eastern Slavonia, Baranja and Western Sirmium (S/1995/951), signed on 12 November 1995 by the Government of the Republic of Croatia and the local Serb community (the Basic Agreement), which promotes the mutual confidence, safety and security of all inhabitants in the region,

Emphasizing the importance of the obligation of the Government of the Republic of Croatia to allow all refugees and displaced persons to return in safety to their homes throughout the Republic of Croatia, and further

emphasizing the importance of the two-way return of all displaced persons in the Republic of Croatia,

Welcoming the Agreement of the Joint Working Group on the Operational Procedures of Return (S/1997/341, annex), but noting with concern that the lack of conditions necessary for the return of displaced persons to the former United Nations Protected Areas from the Region of Eastern Slavonia, Baranja and Western Sirmium prevents the return in any substantial number of those displaced persons seeking to return to Eastern Slavonia, Baranja and Western Sirmium from other parts of Croatia,

Expressing its grave concern over the lack of improvement in respect for human rights, including the rights of persons belonging to minorities, in Croatia and in particular in the former United Nations Protected Areas, and strongly deploring recent incidents of ethnically-motivated violence in Hrvatska Kostajnica and similar incidents,

Reiterating its concerns about the failure of the Government of the Republic of Croatia to cooperate fully with the International Tribunal for the Former Yugoslavia, and in this context recalling the obligation of the States in the region to surrender all those indicted to the Tribunal,

Reiterating also its concerns about continued uncertainty regarding implementation of the Amnesty Law, which has been detrimental to the building of confidence and trust among Croatia's ethnic communities,

Welcoming the report of the Secretary-General of 23 June 1997 (S/1997/487), and noting in particular his recommendations for the continued presence of UNTAES after 15 July 1997 with an appropriate restructuring of the mission,

Recalling that the Basic Agreement provides that the transitional period of twelve months may be extended at most to another period of the same duration if so requested by one of the parties, and noting that the local Serb community has requested such an extension, as indicated by the Secretary-General in his report of 28 August 1996 (S/1996/705),

Determining that the situation in Croatia continues to constitute a threat to international peace and security,

Determined to ensure the security and freedom of movement of the personnel of the United Nations peacekeeping operations in the Republic of Croatia, and, to these ends, acting under Chapter VII of the Charter of the United Nations,

1. Expresses its full support for UNTAES, and calls upon the Government of the Republic of Croatia and the local Serb community to cooperate fully with UNTAES and other international bodies and to fulfil all obligations and commitments specified in the Basic Agreement and all relevant Security Council resolutions, as well as in the letter of the Government of the Republic of Croatia of 13 January 1997 (S/1997/27, annex);

2. Reaffirms in particular the importance of full compliance by the parties, in particular by the Government of the Republic of Croatia, with their

commitments, as specified in the Basic Agreement, to respect the highest standards of human rights and fundamental freedoms and to promote an atmosphere of confidence among local residents regardless of their ethnic origin, and urges the Government of the Republic of Croatia to ensure respect for the rights of all persons of all national ethnic groups;

3. Reaffirms the right of all refugees and displaced persons originating from the Republic of Croatia to return to their homes of origin throughout the Republic of Croatia;

4. Strongly urges the Government of the Republic of Croatia to eliminate promptly the administrative and legal obstacles to the return of refugees and displaced persons, in particular those posed by the Law on Temporary Take Over and Administration of Specified Property; to create the necessary conditions of security, safety, and social and economic opportunity for those returning to their homes in Croatia, including the prompt payment of pensions; and to foster the successful implementation of the Agreement on the Operational Procedures of Return (S/1997/341) treating all returnees equally, regardless of ethnic origin;

5. Reminds the local Serb population in Eastern Slavonia, Baranja and Western Sirmium of the importance of continuing to demonstrate a constructive attitude towards the reintegration of the region and a willingness to cooperate fully with the Government of the Republic of Croatia in building a stable and positive future for the Region;

6. Reiterates its previous calls on all the States in the region, including the Government of the Republic of Croatia, to cooperate fully with the International Tribunal for the Former Yugoslavia;

7. Urges the Government of the Republic of Croatia to eliminate ambiguities in implementation of the Amnesty Law, and to implement it fairly and objectively in accordance with international standards, in particular by concluding all investigations of crimes covered by the amnesty and undertaking an immediate and comprehensive review with United Nations and local Serb participation of all charges outstanding against individuals for serious violations of international humanitarian law which are not covered by the amnesty in order to end proceedings against all individuals against whom there is insufficient evidence;

8. Decides to extend the mandate of UNTAES until 15 January 1998, as envisaged in its resolution 1079 (1996) of 15 November 1996 as well as in the Basic Agreement;

9. Endorses the plan for the gradual devolution of executive responsibility for civil administration in the Region by the Transitional Administrator, as set out in the report of the Secretary-General of 23 June 1997;

10. Endorses the plan for restructuring UNTAES, as set out in the report of the Secretary-General of 23 June 1997, and, in particular, the proposal for achieving the drawdown of the UNTAES military component by 15 October 1997;

11. Stresses that the pace of the gradual devolution of executive responsibility would be commensurate with Croatia's demonstrated ability to reassure the Serb population and successfully complete peaceful reintegration;

12. Reiterates its decision in its resolution 1037 (1996) that Member States, acting nationally or through regional organizations or arrangements, may, at the request of UNTAES and on the basis of procedures communicated to the United Nations, take all necessary measures, including close air support, in defence of UNTAES and, as appropriate, to assist in the withdrawal of UNTAES;

13. Requests that UNTAES and the multinational stabilization force authorized by the Council in resolution 1088 (1996) of 12 December 1996 continue to cooperate, as appropriate, with each other, as well as with the High Representative;

14. Requests the Secretary-General to continue to keep the Council regularly informed of the situation and to report in any case no later than 6 October 1997 on all aspects relevant to the peaceful reintegration of the Region;

15. Stresses the importance of demilitarization of the area, and in that context stresses further the importance of achieving bilateral agreements on demilitarization and a liberal border regime in the region of Eastern Slavonia, Baranja and Western Sirmium, accompanied by appropriate confidence-building measures as suggested in the report of the Secretary-General of 23 June 1997;

16. Calls upon the Government of the Republic of Croatia, inter alia, to initiate a country-wide public programme of national reconciliation, to take all necessary steps for the official establishment and legal registration of the Joint Council of Municipalities, and to fulfil all its obligations as specified in the various agreements signed with UNTAES;

17. Welcomes the renewed mandate of the Organization for Security and Cooperation in Europe (OSCE) of 26 June 1997 (S/1997/522, annex) providing for a continued and reinforced OSCE presence in the Republic of Croatia, with a particular focus on two-way return of all refugees and displaced persons, protection of their rights, and the protection of persons belonging to national minorities, welcomes also the decision of OSCE for the build-up starting July 1997 of its mission personnel with a view to full deployment by 15 January 1998, and urges the Government of the Republic of Croatia to cooperate fully with the OSCE mission to that end;

18. Underlines the observation of the Secretary-General that the essential prerequisite for the successful completion of peaceful reintegration of the Region is the full cooperation of the Government of the Republic of Croatia, which bears the responsibility for convincing the local population that the reintegration of the people of the Region is sustainable and that the process of reconciliation and return is irreversible;

19. Decides to remain actively seized of the matter.